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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/793,502 03/20/97 MANNINGS

R 36-1001

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PM92/0629

EXAMINER

ELUM, T

ART UNIT

PAPER NUMBER

3662

17

DATE MAILED:

06/29/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

08/793502

Applicant(s)

MANNINGS ET AL

Examiner

T. BLUM

Group Art Unit

3662

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 6-22-99
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1, 3-17, 19-32, 34-46, 49-52 is/are pending in the application.
Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1, 3-17, 19-32, 34-46, 49-52 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Reference(s) Cited, PTO-892
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Other _____

Office Action Summary

Serial Number 08/793502

Art Unit 3662

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 3-17, 19-29, 32, 34-46, and 49-52, are rejected under 35

U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

X As to claims 1, 17, and 32, "may" is indefinite. Does the receiver "simultaneously receive common guidance information" or not? *OK*

X As to claim 1, 17, and 32, "simultaneously receive" is indefinite. The common guidance information is simultaneously received with what?

X As to claim 1, 17, and 32, "common guidance information" is indefinite. The guidance information is common to what?

X As to claim 32, "simultaneously transmitting ~~the common~~ guidance information" is indefinite. The guidance information is simultaneously transmitted with what? *deleted*

✓ As to claim 32, there is no antecedent basis for "the common guidance information".

Claims 3-16, 19-29, 34-46, and ~~49-52~~, depend from an indefinite antecedent claim.

49-54 & 56

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

4. Claims 1, 3-17, 19-32, 34-46, and 49-52, as definite, are rejected under 35 U.S.C. 102(e) as being anticipated by Penzias.

Penzias teaches the claimed navigation information system method and structure including: mobile unit (193 in Figure 2), "fixed part" (110 and 118, both in Figure 1), transmitting to the "fixed part" a request for guidance information (column 1, line 38 to column 2, line 19), means for determining the location of a mobile unit (GPS receiver 163, shown in Figure 2, column 3, lines 9-12), means (110 and 118, both in figure 1) for generating guidance information according to the present location and specifies destination of the mobile unit, and means (101 and radio link, both in Figure 1) for transmitting guidance information. Penzias further teaches: means (110 in Figure 1, computer 202) for determining the location of the mobile part in relation to a geographical overlay (111, 113 and 119, all in figure 1), information (115 and 118) "associated" with an overlay area, and means (101 and

radio link) for transmitting information “associated” with an overlay area which includes the location of the mobile part, to the vehicle (mobile part) 193. Router server 111 receives road map data from 113 and 119, and the vehicle location from the vehicle tracking server 117 to provide “traffic flow conditions” (column 2, line 60 to column 3, line 18) or “geographical overlay” as claimed. The “geographical overlay” is the correlation of the road map data and the vehicle location in router server 111 to provide “traffic flow conditions”. Note that the routing unit computer 202 and vehicle computer 204 both have a display 309.

Each mobile unit 193 includes means (161 and 187) for transmitting to the fixed part a request for guidance information. The geographical maps (113 and 119) of Penzias will inherently include “a plurality of discrete predetermined overlay areas” as claimed.

5. Claims 1, 3-17, 19-32, 34-46, and 49-52, are rejected under 35

U.S.C. 102(e) as being anticipated by Behr et al.

Behr et al teaches the claimed navigation information system method and structure including mobile unit (14, column 8, lines 19 and 20), “fixed part” (12), transmitting to the “fixed part” a request for guidance information (Abstract), means for determining the location of a mobile unit (GPS receiver 42, column 1, lines 32-

37, column 6, lines 63+), means (12) for generating guidance information according to the present location and specifies destination of the mobile unit, and means (38, 74, and 76) for transmitting guidance information. Behr further teaches: means (66, 68, and 70) for determining the location of the mobile part in relation to a geographical overlay (72), information (80 and 82, column 9 lines 47-55) "associated" with an overlay area, and means (36, 38, 62, and 74-77) for transmitting information "associated" with an overlay area which includes the location of the mobile part, to the mobile part 14. Elements 66, 68, and 70, receive map data from map data base 72, and the mobile unit location from 36, 38, and 74-77, to provide guidance information (column 16, lines 32-38) or "geographical overlay" as claimed. The "geographical overlay" is the correlation of the map data and the mobile unit location. Note display means 46 and 88.

Each mobile unit 14 includes means (36 and 38) for transmitting to the fixed part a request for guidance information. The geographical maps (72) of Behr et al will inherently include "a plurality of discrete predetermined overlay areas" as claimed.

6. Any inquiry concerning this communication should be directed to Theodore Blum at telephone number (703) 305-1833.

Theodore M. Blum
THEODORE M. BLUM
PRIMARY EXAMINER